



OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES

Answering questions at an outreach campaign of the *gendarmerie nationale*.
Photo: Sirpa-gendarmerie
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Police and ethnic minorities

Unleashing the power of partnerships

Amid periods of relative calm and stability, societies across the OSCE region occasionally experience a rude awakening to the ugly face of inter-ethnic conflict and upheaval. It does not have to be so, says Rolf Ekéus, OSCE High Commissioner on National Minorities (HCNM).

The former Swedish ambassador believes that if national minorities are integrated into the mainstream of governance, and if their right to maintain their ethnic, religious, linguistic and cultural identity is respected, minority-related tensions can be prevented altogether or at least reined in before they spiral out of control.

Over the past 14 years, the HCNM, based in The Hague, has been initiating and advocating a series of expert recommendations designed to help shape education, public and socio-economic life, language use and broadcasting in multi-ethnic societies.

In an interview with the *OSCE Magazine*, the High Commissioner explains why it is now the turn of policing issues to take centre stage and why the HCNM's latest recommendations are just as much about effective policing as they are about the rights of national minorities.

OSCE Magazine: Why did the High Commissioner on National Minorities decide to devote his attention to the issue of policing at this time?

Ambassador Rolf Ekéus: As you know, my role is to identify — and seek early resolution of — ethnic-related tensions that affect peace and stability, or relations between OSCE participating States.

My intervention is especially effective whenever I can assess a specific situation first-hand. This explains why country visits and discussions with government and minority representatives are part and parcel of my *modus operandi*.

During these meetings, it happens that people raise the same sets of concerns again and again: education, the use of languages, broadcasting in minority languages and political participation, to name just a few. The theme of policing is one of these “usual suspects”.

Leaders of national minorities complain to me that police officers do not understand

the problems of their communities and that they often abuse their power. They also find recruitment practices discriminatory. Chiefs of police, in turn, tell me how frustrated they feel about the unco-operative attitude of minority groups and their lack of interest in working with law enforcers to ensure safety and security in their communities.

I must add that there are some bright spots. I have been impressed to see for myself how even the most modest partnerships between police and minorities at the local level go a long way towards fostering an atmosphere of constructive dialogue and mutual trust and respect.

All this has led me to zero in on policing in multi-ethnic societies, using the same consistent approach that the HCNM has been taking over the years: clarifying international standards and pointing policy-makers and minority communities in the right direction through our recommendations.

To launch the process, last year the Strategic Police Matters Unit in the OSCE Secretariat and I brought together a group of internationally respected experts, including senior police officials, to examine every angle of the issue. On 9 February, I presented the group's catalogue of concrete recommendations to the Permanent Council in Vienna. These deal with recruitment and representation, training and professional development, means of engaging with ethnic communities, operational practices, and prevention and management of conflict.

Why is it even necessary to consider the diversity factor in policing? Shouldn't good policing simply be "colour-blind?"

I am strongly convinced that there is a vital correlation between the quality of policing and the state of inter-ethnic relations. Police officers operate at "street level" and often represent the sole "face" of law enforcement. So it's not surprising that police authorities exercise considerable leverage in shaping the way minorities perceive their efforts to be fair, to be accountable for their actions, and to operate within the rule of law. Experience shows that countries that fail to understand this leverage advantage pay a high price.

As for the second part of your question, I agree that law enforcers should be "colour-blind" — most of the time. An everyday example that comes to mind is that no individual should be singled out for unwarranted stop-and-search on the basis of ethnicity.

However, certain situations call for police management to make an exception, as in the

OSCE/MADAMIR KIRUSHIN



"We agree with Ambassador Ekéus that inter-ethnic tension very often fuels conflicts in the world today. Who can deny the role that ethnic tension played in contributing to the painful history of the Balkans in the past decade? Multi-ethnic policing is not only the right thing to do in terms of the democratic standards we all have adopted, it is also the smart thing to do."
—Ambassador Julia Finley, U.S. Mission to the OSCE, at the Permanent Council, 9 February 2006

case of recruitment. In order to reflect the population they serve, police services should undertake special efforts to encourage applications from ethnic minorities, directly targeting them through information campaigns, helping them meet basic standards, and removing any direct or indirect discriminatory barriers to their recruitment.

Wouldn't this be tantamount to practising "affirmative action" to the detriment of professionalism and fairness in hiring?

My preferred approach is to set a target — the desired ethnic composition to be reached within a certain time frame. It is crucial that high professional standards be maintained. In fact, it is precisely police officers from minority backgrounds who would likely be concerned the most that standards not be lowered; they would not want to be regarded as "second-class police officers".

Having said that, there will always be situations that call for a quota system, especially in post-conflict settings in which the police force needs to be created from the ground up.

Isn't there a danger that citizens will play the "minority card" in certain situations?

Yes, unfortunately there is such a risk — which puts undue pressure on the political leaders and police authorities, causing even

Friendly patrolling at the marketplace in multi-ethnic Osh, South Kyrgyzstan



The Greater Manchester Police care about reflecting diversity.

Community policing in France

more antagonism between all parties and making it difficult to arrive at a compromise. In dealing with these sorts of sensitive issues, I make it a point to call on all sides for restraint and to urge them to co-operate to the utmost in searching for solutions.

It is a two-way street. Members of national minorities should not lose sight of the fact that along with their rights come responsibilities. This explains why the recommendations on policing are also directed at minority groups — to make them realize that they bear joint responsibility for ensuring their community's safety.

actual situation on the ground.

In fact, the expert group was highly sensitive to the fact that police services in individual States are at varying stages of development. The group ensured that their recommendations are deeply rooted in the most fundamental human rights standards in policing, including the *United Nations Code of Conduct for Law Enforcement Officials* and the Council of Europe's *European Code of Police Ethics*.

These codes have been available as guidelines for many years. What is the "value added" of the HCNM recommendations?

The recommendations developed within the HCNM's purview focus on a specific aspect of policing. They are, as I pointed out, rooted in existing standards and best practices, but bring the ethnicity and diversity factors into the spotlight. The document also serves as a detailed road map for political leaders and police authorities in their efforts to build trust and confidence between police and national minorities.

The HCNM's focus seems to be on the Balkans and the CIS region. Are these policing recommendations aimed primarily at countries "east of Vienna"?

The group behind the document was made up of 15 individuals from all across the OSCE region; they intended the recommendations to be universally applicable and useful. There is something for everyone.

And by the way, the theme of ethnicity and policing emerged in the countries "west of Vienna" some 20 to 30 years ago. That was when the deep mistrust and wariness between minority communities and the police grew to such an extent that it ultimately led to violence. Several of the recommendations are directly drawn from the painful lessons that emerged from that era.



SIRPA-GENARMIERE AG PROVOT

"We must fear that ethnic tensions, within and between nations, will prove the most dangerous threat to stability and the common security on our continent in the years to come."
— *Netherlands Foreign Minister Hans van den Broek, at the OSCE Ministerial Council Meeting in Stockholm, December 1992*

I should add, though, that the police-minority divide in some countries in the West persists and still requires constant vigilance.

How will you ensure that the recommendations aren't just filed away but serve as an indispensable reference guide for day-to-day policing and planning?

I agree that some politicians and police administrators might see the document as yet another attempt to lecture them about human rights and impose certain modes of behaviour on them. This, I can assure them, is not the intention.

Right at the outset of the document, the experts emphasize that a police-minorities relationship built on a spirit of co-operation, trust and confidence clearly benefits both sides:

- Police operations are enhanced by the inflow of information provided by minority recruits, who also inject the police force with new skills and knowledge.

- Minority groups are able to take on more responsibility for the safety of their own communities when police are more attentive to their concerns. They also gain better access to the justice system and to opportunities for resolving conflict peacefully.

With its vast experience in this area, the OSCE can prove to be a great help in strengthening ties between police and minorities. I believe that we have already been putting some of the recommendations into practice in the field and should be proud of our record. I hope that the positive examples highlighted in the document serve as encouragement.

As I mentioned to the Permanent Council, the HCNM, in co-operation with the Special Police Matters Unit and other OSCE structures, is prepared to provide States with practical assistance in carrying out the recommendations.

JØRGEN HILDEBRANDT/PRESSSENS BILD



"The OSCE took the ground-breaking decision [in 1992] to establish the post of High Commissioner on National Minorities. I say 'ground-breaking', because at no time before — or after, for that matter — had an international organ been given the right, and the duty, to intervene in the internal affairs of States to address what are often sensitive issues, namely relations between a majority and minorities, with the ultimate objective of preventing future conflicts.

"As a precondition for awarding a right of such intrusive character to the HCNM, governments demanded that it be required that the High Commissioner would 'work in confidence' and 'independently of all parties'.

"The fundamental concept on which the HCNM bases its policy is that of 'integration with respect for diversity'. It is not a matter of either/or, but rather of finding the right balance."

— Ambassador Rolf Ekéus, at the OSCE Parliamentary Assembly in Vienna, 23 February 2006

In your view, which countries with a strong multi-ethnic composition have been making strenuous efforts to raise the standards of their policing services?

I would not like to single out specific examples. I am convinced, however, that it is in the best interests of all the OSCE participating States to assess their police services through the prism of these recommendations and to translate them into action.

Expert advice on integrating minorities while respecting diversity

Since 1992, the OSCE High Commissioner on National Minorities (HCNM) has been serving participating States as "an instrument of conflict prevention at the earliest possible stage". To guide key officials in building legal and political mechanisms in support of harmonious inter-ethnic relations, the following documents have been drawn up by independent experts under the auspices of the HCNM:

- * The Hague Recommendations regarding the Education Rights of National Minorities (1996)

- * The Oslo Recommendations regarding the Linguistic Rights of National Minorities (1998)
- * The Lund Recommendations on the Effective Participation of National Minorities in Public Life (1999)
- * Guidelines on the Use of Minority Languages in the Broadcast Media (2003)
- * Recommendations on Policing in Multi-Ethnic Societies (2006)

The documents are available in several languages at www.osce.org/hcnm.